

Exhibit



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FILED: NASSAU COUNTY CLERK 11/23/2020 02:36 PM

INDEX NO. 613543/2020

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 11/23/2020

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
INDIRA VOHRA,

Plaintiff,

-against-

WALMART INC. AND EQUITY ONE (WESTBURY
PLAZA) LLC.,

Defendants.

-----X

Index No.:

Date Purchased:

SUMMONS

Plaintiff designates NASSAU
County as the place of trial.

The basis of venue is:
Defendants Place of Business

Defendants Place of Business:
1220 Old Country Road
Westbury, NY 11590

County of Nassau

To the above named Defendant:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Farmingdale, New York
November 18, 2020

Yours, etc.



EVELYN F. GROSS

GREY AND GREY, LLP

Attorneys for Plaintiff

INDIRA VOHRA

360 Main Street

Farmingdale, New York 11735

516.249.1342

Our File No. 16-0609

TO: And Via Secretary of State
WALMART INC.

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28 LIBERTY STREET
NEW YORK, NEW YORK, 10005

Equity One (Westbury Plaza) LLC.
C/O United Agent Group Inc.
15 North Mill Street
Nyack, New York 10960

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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INDIRA VOHRA,

Plaintiff,

Index No.:

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-against-

VERIFIED COMPLAINT

WALMART INC. AND EQUITY ONE (WESTBURY
PLAZA) LLC.,

Defendants.
-----X

Plaintiff, by his attorneys, **GREY AND GREY, LLP**, complaining of the Defendants,
respectfully alleges, upon information and belief:

1. That at all times hereinafter mentioned, Plaintiff is a resident of the County of Nassau, State of New York.

2. That at all times hereinafter mentioned, the Defendant, **WALMART INC.**, was and still is a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

3. That at all times hereinafter mentioned, the Defendant, **WALMART INC.** was and still is a foreign corporation duly authorized to do business in the State of New York.

4. That at all times hereinafter mentioned, the Defendant, **WALMART INC.** maintained a principal place of business in the County of Suffolk, State of New York.

5. That at all times hereinafter mentioned, the Defendant, **WALMART INC.** owned the premises and appurtenances and fixtures thereto, located at 1220 Old Country Road, Westbury, New York.

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6. That at all times hereinafter mentioned, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.**, was and still is a domestic limited liability corporation duly organized and existing under and by virtue of the laws of the State of New York.

7. That at all times hereinafter mentioned, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** was and still is a foreign corporation duly authorized to do business in the State of New York.

8. That at all times hereinafter mentioned, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** maintained a principal place of business in the County of Rockland, State of New York.

9. That at all times hereinafter mentioned, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** owned the premises and appurtenances and fixtures thereto, located at 1220 Old Country Road, Westbury, New York.

11. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **WALMART INC.** operated the aforesaid premises.

12. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **WALMART INC.** managed the aforesaid premises.

13. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **WALMART INC.** controlled the aforesaid premises.

14. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **WALMART INC.** supervised the aforesaid premises.

15. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **WALMART INC.** maintained the aforesaid premises.

16. That at all times hereinafter mentioned, and upon information and belief, the

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Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.**, operated the aforesaid premises.

17. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** managed the aforesaid premises.

18. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** controlled the aforesaid premises.

19. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** supervised the aforesaid premises.

20. That at all times hereinafter mentioned, and upon information and belief, the Defendant, **EQUITY ONE (WESTBURY PLAZA) LLC.** maintained the aforesaid premises.

21. On November 5, 2017 Plaintiff **INDIRA VOHRA**, was lawfully on the aforesaid premises.

22. On November 5, 2017, while Plaintiff **INDIRA VOHRA** was lawfully about the aforesaid premises she was caused to trip and fall and sustain serious and permanent injuries.

23. The above mentioned occurrence, and the results thereof, were caused by negligence of the Defendants and/or said Defendants' agents, servants, employees and/or licensees in the ownership, operation, management, supervision, maintenance and control of the aforesaid premises.

24. That no negligence on the part of the Plaintiff contributed to the occurrence alleged herein in any manner whatsoever.

25. That by reason of the foregoing, Plaintiff **INDIRA VOHRA** was caused to sustain serious injuries and to have suffered pain, shock and mental anguish; that these injuries and their effects will be permanent; and as a result of said injuries Plaintiff has been caused to incur, and will continue to incur, expenses for medical care and attention; and, as a further result, Plaintiff

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was, and will continue to be, rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom.

26. That as a result of the foregoing, Plaintiff was damaged in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demands judgment against the Defendants herein in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: Farmingdale, New York
November 18, 2020

Yours, etc.



EVELYN F. GROSS

GREY AND GREY, LLP

Attorneys for Plaintiff

INDIRA VOHRA

360 Main Street

Farmingdale, New York 11735

516.249.1342

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ATTORNEY'S VERIFICATION

EVELYN GROSS, ESQ., an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury: I am an attorney at GREY & GREY, LLP, attorneys of record for Plaintiff(s), INDIRA VOHRA. I have read the annexed COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

This verification is made by me because of the ongoing National Pandemic due to Covid-19.

DATED: Farmingdale, NY
November 18, 2020


EVELYN GROSS, ESQ.

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INDIRA VOHRA,

-against

WALMART INC. AND EQUITY ONE (WESTBURY
PLAZA) LLC.,

-----X

SUMMONS AND COMPLAINT

GREY & GREY, LLP
Attorneys for Plaintiff(s)
360 Main Street
Farmingdale, NY 11735
(516) 249-1342

TO: